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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2708/2017**

RAVINDER KUMAR @ RINKU & ORS. Petitioners

Through: Mr. Sanjay Kumar, Advocate for
the petitioners along with petitioners in
person.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Ms. Richa Kapoor, ASC for the
State with ASI Mithlesh, P.S. Mukherjee
Nagar, Delhi.

Mr. Sachita Dixit, Advocate for R-2 along
with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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18.09.2017

Crl.M.A. 15560/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 2708/2017

1. Notice. Learned ASC, who appears on an advance copy having been served, accepts notice.
2. Notice to respondent no. 2 also. She is being represented by her counsel. She appears in person and accepts the notice. She is duly identified by IO ASI Mithlesh.
3. The petitioners have invoked the writ jurisdiction of this court

under Article 226 of the Constitution of India read with Section 482 of Code of Criminal Procedure, 1973 (in short 'Cr.P.C.') for quashing of the FIR bearing No. 0839/2016, registered against them on 28.09.2016 with Police Station Mukherjee Nagar, District North West, Delhi under Sections 498A/406/34 IPC on the complaint of respondent No.2.

4. The marriage of the petitioner No.1 with the respondent no. 2 was solemnized on 29.06.2012 as per Hindu rites and ceremonies in Delhi. Out of this wedlock, a female child namely Parinita was born.
5. After solemnization of marriage, the couple started living at the matrimonial home. Due to some temperamental differences between the petitioner No.1 and the respondent no.2, they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home on 11.01.2016 and started living with her parents along with their child.
6. Respondent No.2 preferred a petition under Section 12 of The Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as the 'DV Act') against the petitioners in the court of learned MM, Mahila Court (North-west), Rohini Courts, Delhi. She lodged a complaint with CAW Cell which culminated into the said FIR.
7. On making a reference by the learned MM, Mahila Court, Rohini Courts, Delhi, the parties had appeared before the learned Mediator, Delhi Mediation Centre, Rohini District Courts, Delhi. They had resolved and settled all their disputes

on 02.01.2017. By this settlement, the petitioner no. 1 and the respondent no. 2 had decided to live together peacefully.

8. The respondent No.2 states that she had voluntarily resolved all disputes with the petitioners without any coercion or force. She submits that she had withdrawn her petition filed under Section 12 of D.V. Act from the concerned court.
9. Petitioner no. 1 and the respondent no.2 submit that for the last nine months they have been residing together peacefully and now they do not have any dispute or problem with each other. Respondent no. 2 submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
10. Learned ASC through the IO submits that the charge sheet has so far not been filed.
11. When the matter had been amicably settled between the parties, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.0839/2016, registered on 28.08.2016 with Police Station Mukherjee Nagar, District North West, Delhi under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed. The petition is disposed of accordingly.
12. *DASTI.*

VINOD GOEL, J.

SEPTEMBER 18, 2017

"sandeep"